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Attorneys for Defendants
ABERCROMBIE & FITCH and MELISSA
BASFIELD

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KRISTINA ENNIX SLAUGHTER and
MITCHELL SLAUGHTER,

Plaintiffs,

v.

CITY OF EMERYVILLE, EMERYVILLE
POLICE DEPARTMENT, E. WHITE
(#307) and S. ANDRETICH (#339),
individually and in their official capacities;
VICTORIA'S SECRET, CLAUDIA
SOTO, ABERCROMBIE & FITCH, and
MELISSA BASFIELD,

Defendants.

CASE NO. C08-01552-PJH

**DEFENDANTS ABERCROMBIE & FITCH
AND MELISSA BASFIELD'S INITIAL
DISCLOSURES**

[FRCP 26(a)(1)]

Pursuant to Federal Rule of Civil Procedure 26(a)(1) and Civil Local Rules, Defendants
ABERCROMBIE & FITCH and MELISSA BASFIELD (collectively, "Defendants") hereby
provide their initial disclosures.

Discovery, independent investigation, research and analysis may reveal additional
documents, factual information, and witnesses potentially subject to disclosure requirements.
This disclosure is without prejudice to Defendants' right to supplement these lists and documents
at a later date, and does not constitute a waiver of any right to introduce additional witnesses or
documentary evidence.

1 After a reasonable inquiry and search, and based on information and belief, the following
2 disclosures are complete and correct.

3 **A. WITNESSES**

4 Defendants believe that the following individuals have personal knowledge relevant to
5 their defense of this action as it pertains to them. On information and belief, Claudio Soto can be
6 contacted through her counsel.

- 7 1. Melissa Basfield
8 c/o Ropers Majeski Kohn & Bentley
9 201 Spear Street, Suite 1000
10 San Francisco, CA 94105
11
- 12 2. Claudia Soto
13 c/o Carlton DiSante & Freudenberger LLP
14 601 Montgomery Street, Suite 350
15 San Francisco, CA 94111

16 Ms. Basfield and Ms. Soto, defendants in this action, have personal knowledge regarding
17 the truth of plaintiffs' allegations herein as they pertain to Defendants.

18 **B. DOCUMENTS**

19 Defendants are presently unaware of any documents within their possession, custody or
20 control which they may use in connection with their defense of this action other than for
21 impeachment purposes. Defendants reserve the right to supplement this disclosure with the
22 identity of relevant documents subsequently discovered or disclosed, if any.

23 **C. DAMAGES**

24 Defendants seek no damages at this time. Defendants dispute the allegations of plaintiffs'
25 complaint and deny that plaintiffs have been damaged in any amount, or at all.
26
27
28

1 **D. APPLICABLE AND POTENTIALLY APPLICABLE INSURANCE**

2 Defendants believe that Federal Insurance Company Policy No. 3582-39-02/562 is
3 applicable or potentially applicable.

4
5 Dated: June 18, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

6
7 By: 

JAMES A. LASSART
ADRIAN G. DRISCOLL
SPENCER C. MARTINEZ
Attorneys for Defendants
ABERCROMBIE & FITCH and
MELISSA BASFIELD

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Francisco

CASE NAME: Slaughter, et al. v. Emeryville, et al.

ACTION NO.: 08-CV-01552-PJH

PROOF OF SERVICE

METHOD OF SERVICE

- ☒ First Class Mail
 ☐ Facsimile
 ☐ Messenger Service
☐ Overnight Delivery
 ☐ E-Mail/Electronic Delivery

1. At the time of service I was over 18 years of age and not a party to this action and a Citizen of the United States.

2. My business address is 201 Spear Street, Suite 1000, San Francisco, CA 94105.

3. On June 18, 2008 I served the following documents:

DEFENDANTS ABERCROMBIE & FITCH AND MELISSA BASFIELD'S INITIAL DISCLOSURES

4. I served the documents on the persons at the address below (along with their fax numbers and/or email addresses if service was by fax or email):

Jivaka Candappa
 Law Office of Jivaka Candappa
 46 Shattuck Square, Suite 15
 Berkeley, CA 94704
 Phone: (510) 981-1808
 Fax: (510) 981-1817
 Email: jcandappa@sbcglobal.net
(Attorney for Plaintiffs)

Dale L. Allen, Jr.
 Low Ball & Lynch
 505 Montgomery Street, 7th Floor
 San Francisco, CA 94111
 (415) 981-6630
 (415) 982-1634
 Email: dallen@lowball.com
**(Attorney for Defendants CITY OF
 EMERYVILLE, EMERYVILLE POLICE
 DEPARTMENT; E. WHITE (#307); S.
 ANDRETICH (#339))**

Victoria's Secret
 5672 Bay Street
 Emeryville, CA 94608

Claudia Soto
 Victoria's Secret
 2556 Somersville Road
 Antioch, CA 94509

5. I served the documents by the following means:

a. ☒ By United States mail: I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses specified in item 4 and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

b. ☐ By overnight delivery: I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 4. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

c. ☐ By messenger: I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 4 and providing them to a messenger for service. (Separate declaration of personal service to be provided by the messenger.)

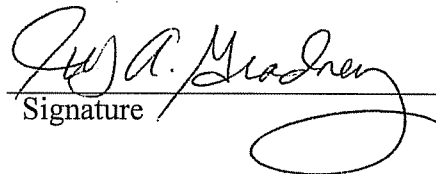
d. ☐ By fax transmission: Based on an agreement between the parties and in conformance with Fed. Rules Civ. Proc. rule 5, and/or as a courtesy, I faxed the documents to the persons at the fax numbers listed in item 4. (Separate Proof of Transmission by Fax to be provided.)

e. ☐ By email or electronic transmission: Based on an agreement between the parties and/or as a courtesy, I sent the documents to the persons at the email addresses listed in item 4. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I am employed in the office of a member of the bar of this court at whose direction the service was made. I certify under penalty of perjury that the foregoing is true and correct.

Date: June 18, 2008

IVY A. GRADNEY
Type Name


Signature